

Date: June 28, 2011

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Federal Communications Commission
Office of the Secretary

To: Secretary's Office

From: Jamie Susskind

Re: Document to be filed in ECFS under WC Docket Nos. 03-109, 11-42, CC Docket No. 96-45

The enclosed letter from Gale A. Brewer, Member, the Council of the City of New York, was received on June 27, 2011.

Please file this in ECFS under WC Docket Nos. 03-109, 11-42, and CC Docket No. 96-45.

Please call me directly if you have any questions. Thank you very much.

Jamie Susskind

Attorney Advisor

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November 24, 2009

Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

To Whom It May Concern,

I write in regards to seeking Tracfone's request for clarification of the Lifeline's programs "One Per Household" rule. It has been brought to my attention by several of my constituents that while this is an invaluable service for low-income New Yorkers there are those who have been denied the service it provides. As I understand it, there are two issues:

(1) Once one tenant residing at a multiple dwelling has obtained phone service, no one else living there may receive service. In New York City many people live in a multiple dwelling, such as a nursing home, homeless shelter, or adult home.

These buildings are often supportive housing units that may share kitchens and bathrooms and where many households live independently in the same building. The residents have the same rights and responsibilities as tenants would have in an apartment or single family home. Clearly, the Lifeline program is not designed to allow only one resident of such a dwelling to receive service.

(2) The building is recognized as a "commercial" building and not a residential building, resulting in none of the residents being eligible for the program.

Many of my constituents are permanent residents of their hotels, lodging houses or rooming houses, which may be classified for a particular purpose as "commercial" buildings. These consumers are not transients or temporary residents but permanent residents with the same rights as any single-family apartment renter. Many have lived in the same unit for decades. Although these tenants often do not have written leases, the laws of New York create permanent tenancy for any hotel guest who makes a written request for a lease of six months or longer, or who resides in a hotel for at least six months. Therefore, listing a hotel as "commercial" is a generalization that can be inaccurate in referring to the tenancy of an individual resident.

Date

Eligibility for the Lifeline program should be based on need not housing status. I request that the "one per household" requirement be modified or eliminated so that those whom the program was intended to serve can receive its benefits.

Sincerely,

A handwritten signature in black ink that reads "gale A. Brewer". The signature is written in a cursive style, with the first name "gale" in lowercase and the last name "Brewer" in uppercase. The initials "A." are written between the first and last names.

Gale A. Brewer

Date